

1 MELINDA HAAG (CABN 132612)  
United States Attorney

2 J. DOUGLAS WILSON (DCBN 412811)  
3 Chief, Criminal Division

4 PATRICIA J. KENNEY (CABN 130238)  
5 Assistant United States Attorney

EÖÖSÖÖÄÄ DÉE E

6 450 Golden Gate Avenue, Box 36055  
7 San Francisco, California 94102-3495  
Telephone: 415.436.6857  
Facsimile: 415.436.7234  
Email: patricia.kenney@usdoj.gov

8 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA, ) No. 10-CR-00434 RMW

14 Plaintiff, )

15 ANCILLARY PROCEEDING

16 v. )

17 N'GUESSEN YAO AND MICHAEL SHOR, ) STIPULATION RE: TRANSCRIPT OF SUMMARY

18 Defendants. ) JUDGMENT PROCEEDING IN DISTRICT COURT

19 ) OÖÖÄÜÜÖÖÜ

20 COTE D'IVOIRE, )

21 Petitioner. )

22 )

23 )

24 )

25 )

26 )

27 )

28 )

1       On June 23, 2014, appellant petitioner the Republic of the Cote d'Ivoire ("Cote d'Ivoire") filed a  
2 motion to correct the transcript of the summary judgment hearing. *See* Appellant's Motion for  
3 Correction of Record, filed June 23, 2014. Initially, the court reporter provided a transcript with  
4 certification. *Id.*, Exhibit 1. After counsel for the Cote d'Ivoire suggested changes, the court reporter  
5 provided another transcript without certification. *Id.*, Exhibit 3. Unable to obtain additional changes,  
6 the Cote d'Ivoire filed a motion for additional changes to Exhibit 3.

7       To resolve the Cote d'Ivoire's motion without further litigation, the parties agree to the following  
8 changes to Exhibit 3 to the Cote d'Ivoire's motion which is the transcript the court reporter provided to  
9 counsel for the Cote d'Ivoire by email on or about May 23, 2014:

- 10      1. Page 2, line 23: Change "the non moving party evidence" to "the non-moving party's evidence";
- 11      2. Page 4, line 13: Change "government file" to "government's file";
- 12      3. Page 6, line 13: Change "accounts" to "account";
- 13      4. Page 6, line 20: Change the word "Antigua" to "Republic of";
- 14      5. Page 8, line 10: Take out ". That";
- 15      6. Page 8, line 11: Change "all the sudden" to "all of a sudden";
- 16      7. Page 8, line 11: Change "there" to "this";
- 17      8. Page 8, line 12: Take out the "." at the end of that line after the word "dismiss";
- 18      9. Page 8, line 13: Change "," to ":" before the words "It's not.";
- 19      10. Page 8, line 25: Change "Well, there was in" to "He says, well there was a";
- 20      11. Page 9, line 17: Change the word "minster" to "minister";
- 21      12. Page 9, line 21: Change the word "minster" to "minister";
- 22      13. Page 9, line 24: Change "is no longer empowered. And is sufficiently corrupt, that is being  
23                  charged before an international court" to "is no longer empowered, and is sufficiently corrupt,  
24                  that it is being charged before an international court":
- 25      14. Page 10, line 1: Change the word "minster" to "minister" ;
- 26      15. Page 11, line 11: Change the word "minster" to "minister";
- 27      16. Page 11, lines 24-25: Change "it was not that it was ultra vires" to "it was ultra vires";
- 28      17. Page 12, line 3: Change the word "minster" to "minister";

- 1       18. Page 12, line 4: Change the word "minster" to "minister";  
2       19. Page 13, line 18: Change the word "undermind" to "undermine"; and  
3       20. Page 14, line 21: Change the word "not" to "note".

4 In stipulating to the above changes, the parties submit that there are additional transcription errors  
5 which are difficult to correct because of the passage of time.

7 IT IS SO STIPULATED:

9 Dated: July 2, 2014

MELINDA HAAG  
United States Attorney

ELISE BECKER  
PATRICIA J. KENNEY  
Assistant United States Attorneys  
Attorneys for the United States

14 Dated: July 2nd, 2014

13 SOHOU LAW

15 GUY SOHOU  
Admitted *Pro Hac Vice* as the  
16 Attorney for the Republic of Cote d'Ivoire

18 IT IS SO ORDERED ON THIS F<sup>EE</sup> OF JULY, 2014.

19  
20   
21 HONORABLE RONALD M. WHYTE  
22 United States District Judge  
23  
24  
25  
26  
27  
28